FOR MYSORE STATE

Revenue (195) Department.

SERIES.

G.O. NO. 2088

2088

Dated 29-7-50

[Despatch Abstract.]

Assessment - Land Revenue - (Bellary) - Sandur ...erged area - Tavanagari village - Arrears of ... 29 - 2 - ... for 5 Gurumanthappa - Recovery ...rite off - Sanctioned.

4887.

REVENUE DEPARTMENT.

Subject:

LAND REVENUE - Bellary - Sandur merged area - Tarnagiri village - Arrears Rs.291-12-1 due by Bhavikathi Gurmanthappa - Irrecoverable - write off.- sanction - recommended.

Ref.C.3833/50-1 Station: Madras. Dated 5th July 1950.

From

Sri A.F. Mascarenhas, Secretary, Board of Revenue, Madras.

Sri M.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

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Read: From the Collector of Bellary Rc.C.7838/50 dt.6-6-1950.

...

REFERENCE:

Submitted to the Government.

2. In the circumstances reported by the Collector the Board requests that the Government may be pleased to accord sanction to write off as irrecoverable, a sum of Rs.291-12-1(Rupees two hundred and ninety one annas twelve and pie one only) due from Sri Bhavikotli Gurmanthappa, being the arrears of land revenue on S.No.139 of Tarnagiri Village Sandur merged area, Bellary District. The arrears of land revenue relate to a period prior to the merger of the Sandur State.

for SECRETARY.

To

The Secretary to the Government, Revenue Department.

PL 3/5/7.

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Copy of letter No.Ref.C.7833/50.A.6 dt.6-6-50 from the Collector of Bellary.

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Land Revenue Sandur State Tarnagiri village arrears of Rs.291-12-1 due by Bhavikatti Gurmanthappa irrecoverable write off requested.

Ref: Sandur Special Officers Rc.1656/50 dt.17-5-50.

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I herein enclose a copy of Sandur Special Officer's reference cited above. As the Madras Revenue Recovery Act has been extended to the State with effect from 1-1-50, and in the circumstances reported by the Special Officer, I recommend that the L.R. arrears of Rs.291-12-1 may be written off the accounts as they are irrecoverable.

(sd) x x x
for Collector.

Copy of letter Rc.1656/50 dt.17-5-50 from the Special Officer, Sandur, to the Collector, Bellary.

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Land Revenue Arrears-Sandur Sub Taluk - Tarangiri village - S.No.139 Arrears of Rs.291-12-1 due by Bhavikatti Gurmanthappa Irrecoverable write off, proposals submitted.

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An amount of Rs.291-12-1 is outstanding in the accounts as arrears of Land Revenue in the name of Bhavikatti Gurmanthappa of Tarnagiri. A brief history of the case is as follows:-

S.No.139 measuring A.7.76 of Tarnagiri village which originally belonged to Bandi Bhimanna of Tarnagiri village was attached and proposed for sale for land revenue arrears of 1933-34 but the charge was not shown in the accounts. On 16-7-34 when the land was attached for arrears of Water Cess for the years 1932-33 and 1933-34 [illegible]

He was put in possession of the land in 1936-37 and a H.L.T. patta was granted to him on 21-3-38 instead of a ryotwari patta claimed by him. He therefore protested and deferred to pay the land revenue arrears on the land for the period prior to 1936-37. The procedure adopted by the Sandur Government at the request of Gurumanthappa was not in accordance with the rules in force. ~~The land should have been forfeited to the rules in force~~. The land should have been forfeited to Government before it was assigned to Gurumanthappa in which case ~~Government before it was assigned to Gurumanthappa in which case~~ all previous arrears accruing on that date would have been wiped out under Section 156(b) of the Mysore Land Revenue Code.

Gurumanthappa was in possession of the land till 1943-44. The following amounts were paid by him towards the land revenue of this land:

26-3-39	48-8-2
21-11-40	190-0-0
15-6-43	44-15-11
	283--8-1

A sum of Rs.388-1-4 is legally due from him at Rs.48-3-2, per year for 8 years from 1936-37 to 1943-44. Only a sum of Rs.104-9-3 is therefore due from him. But the sum of Rs.190/- paid on 21-11-40 was wrongly adjusted to the arrears from 1932-33 to 1936-37 as follows:

1932-33	48-8-2
1933-34	48-8-2
1934-35	25-3-8
1935-36	48-8-2
1936-37	19-3-10
	190-0-0

The balance still due from him was erroneously worked out Rs.291-12-1 as shown below:-

1936-37	29-4-4
1937-38	28-2-5
1938-39	2-14-9
1939-40	51--6-11
1940-41	44-15-11
1941-42	44-15-11
1942-43	44-15-11
1943-44	44-15-11
1944-45	44-15-11
	291-12--1

The land was therefore brought to sale on 3-5-44 for the realisation of the remaining arrears and the sale was knocked down in the name of the highest bidder Dodda Basayya of Haranagari for Rs.200/-. He deposited Rs.30/- being the 15% of the sale amount and asked for the grant of Ryotwari patta on payment of Rs.170/-. As the Government did not want to change the tenure of the land tenure of the land the request of Dodda Basayya was turned down and out of the amount of Rs.30/- Rs.15/- was forfeited to Government and the remaining amount was refunded to the party on 1-7-44. The land was then forfeited to Government under Section 156(b) of the Land Revenue Code and was brought to sale on 15-7-44. This sale could not be confirmed as it fetched a low bid of Rs.50/- only.

An erroenous demand Notice was again issued to Gurumanthappa 19-11-48 demanding from him a sum of Rs.306-7-9 on S.Nos.189 and (1) the arrears on S.No.256(1) have since been paid. It is unfair [redacted]mand any arrears from Gurumanthappa at this stage. Firstly [redacted] defaulter is free from liability as soon as the land is

forfeited to Government under Section 156(b) of the land Revenue Code and secondly the claim is more than three years and is time barred und the land revenue in force upto 31-12-49. The land is now at the dispo of the Government. It was leased out for 5 years from 1947 for Rs.5/- year. Under the new set up the land can be treated as Namakartan land and sold out after the expiry of the present lease.

I therefore recommend that the arrears on the land may be written off the accounts. A statement showing the D.C.B. of land Revenue on the land is appended.

/True copy/

Statement showing the D.C.B. of Land Revenue on S.No.189 of Taranegari village.

Year.	Demand.	From whom due	Collection.	Balance.	Remarks.
1932-33	48-8-2	Gandi Thimmanna & Mudukalapenta Ayyamma	..	48-8-2	Assignment to Gurumanthapp. amounts to forfeiture. Hence to be wiped out under Sec. 156 (b) of the Land Revenue Code(Sandur).
1933-34	48-8-2	do.	..	48-8-2	
1934-35	25-3-8	do.	..	25-3-8	
1935-36	48-8-2	do.	..	48-8-2	
	170-12-2			170-12-2	
1936-37	48-8-2	Gurumanthappa	48-8-2		Land was forfeited to Government on 15-7-44. Hence the balance has to be wiped out under 156(b) of the Sandur Land Revenue Code
1937-38	28-2-5 (a)	do.			
1938-39	51-6-11	do.			
1939-40	51-6-11	do.		120-15-11	
1940-41	44-15-11(b)	do.	180-0-0		
1941-42	44-15-11	do.			
1942-43	44-15-11	do.			
1943-44	44-15-11	do.	44-15-11		
1944-45	44-15-11(c)	do.	44-15-11		
	404-8-0		283-8-1	120-15-11	
Grand Total.	575-4-2		283-8-1	291-12-1	

Note: (a) A sum of Rs.4-13-11 was added to the demand being the cesses due on the land on conversion into H.L.T. patta 5% of the assessment was remitted.

(b) A remission of As.0-2-0 per rupee was granted.

(c) The amount is not due from Gurumanthappa as the land was forfeited to Government on 15-7-44

(sd) T.K. Jayarama Ayyar,
Special Officer, Sandur.

/True copy/

for SECRETARY.